REMARKS

Claims 25, 26, 27, and 29 remain in the referenced application. Claim 29 has been amended to properly depend from independent claim 27.

Claims 25, 26, 27, and 29 stand rejected under 35 U.S.C. §103(a) by Weaver et al. (U.S. Patent No. 3,760,770 – hereinafter referred to as Weaver) in view of Chase, Jr. (U.S. Patent No. 5,670,569 – hereinafter referred to as Chase).

Applicant respectfully traverses the above-recited rejection on the basis neither Weaver nor Chase discloses a battery module insertable into a battery module compartment of a chassis, whereby the battery module completes the chassis upon insertion into the battery module compartment thereby providing the chassis with required structural integrity necessary to support the electric powered vehicle during travel.

The electric vehicle 1 as recited in the claims has been implemented to solve vehicle weight problems currently experienced in existing electric vehicles. The electric vehicle 1 includes a chassis 5 or 50 consisting of a chassis front 6 and a chassis rear 7. In the chassis 5, the chassis front 6 and the chassis rear 7 connect to the body of the electric vehicle 1 and are only connected together by a single support member 8. In the chassis 50, the chassis front 6 and the chassis rear 7 are unitary pieces completely unconnected that are formed integrally with the body of the electric vehicle 1 to provide a unibody construction. The chassis 5 or 50 in either configuration define a battery module compartment 25. In defining the battery module compartment 25, the chassis 5 or 50 lack structure typically included in a chassis. As such, the chassis 5 or 50 lack the structural integrity necessary for an electric vehicle. The battery module compartment 25 accordingly receives a battery module 3 therein that integrates with the chassis 5 or 50 to provide the additional structural integrity required by the chassis 5 or 50 of the electric

vehicle 1. The battery module 3 therefore completes the chassis 5 or 50, thereby providing the chassis 5 or 50 with the required structural integrity, while reducing the overall weight of the electric vehicle 1.

The Examiner asserts Weaver discloses a battery module compartment for receiving a battery module that completes a chassis. Applicant disagrees with this assertion and respectfully submits there is absolutely no such disclosure in Weaver. Weaver discloses a battery powered feed cart 20 including a feed box 82 supported by an undercarriage 22. The undercarriage includes a pair of sidewalls 23 and 25 and supports an electric motor 30 that drives an axle 26 secured to the undercarriage 22. A battery drawer 164 located within the undercarriage 22 supports batteries 186 that supply power for the electric motor 30. The battery drawer 164 includes a bottom 166 and generally upright end plates 172. A series of rollers 174 mount along the edges of the bottom 166. The undercarriage 22 includes guide rails 173 integral therewith that receive the rollers 174 thereon to support the battery drawer 164 within the undercarriage 22. In the closed position of the battery drawer 164, the end plates 172 assume a coplanar relationship with the sidewalls 23 and 25 of the undercarriage 22.

Applicant respectfully submits Weaver in no way discloses, teaches, or suggests that the battery drawer 164 is necessary to complete the undercarriage 22 and thus provide the undercarriage 22 with required structural integrity. The undercarriage 22 is fully formed and capable of supporting the feed box 82 without the battery drawer 164. The only function of the battery drawer 164 is to hold the batteries 186 that supply power to the electric motor 30. In particular, the guide rails 173 are integrated into the undercarriage 22 for the sole purpose of supporting the battery drawer 164. The undercarriage 22 accordingly does not require the guide rails 173 to be considered complete with required structural integrity. The battery drawer 164 is

thus merely located within a separate compartment defined in the undercarriage 22 by the guide rails 173, and the end plates 172 merely form doors blocking access to the battery drawer 164. As such, the battery drawer 164 in no way completes the undercarriage 22 or provides the undercarriage 22 with structural integrity required for the undercarriage 22 to support the feed box 86. Applicant respectfully contends there simply is no statement in the Weaver disclosure indicating the undercarriage 22 needs the battery drawer 164 to complete its formation and provide it with required structural integrity. Applicant respectfully requests the Examiner specifically point out a statement in the Weaver disclosure that supports the Examiner's position. In the absence of specific disclosure within the Weaver reference supporting the Examiner's assertion, Applicant respectfully submits Weaver does not disclose, teach, or suggest that the undercarriage 22 needs the battery drawer 164 to be considered complete with required structural integrity. Weaver consequently does not disclose a battery module compartment for receiving a battery module that completes a chassis.

As previously argued in Applicant's Amendment "A" dated August 16, 2004, Chase does not disclose, teach, or suggest a battery module compartment for receiving a battery module that completes the chassis.

Applicant therefore respectfully submits claims 25, 26, 27, and 29 are patentable over Weaver in view of Chase because that combination does not disclose a battery module that completes a chassis upon insertion therein to provide the chassis with required structural integrity necessary to support the electric powered vehicle during travel.

The prior art made of record in the referenced application has been reviewed by Applicant and is deemed not to anticipate nor in any combination render the claimed invention obvious.

In view of the foregoing, Applicant respectfully requests reconsideration of the rejected claims and further earnestly solicits early allowance of the application.

Respectfully submitted,

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DATE: 13 January 2005

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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